

1 ORDINANCE NO. 2021-058

2
3 SPONSORS Executive Shapiro and Councilman Dickinson

4
5 DATE March 15, 2021 COMMITTEE Rules

6
7 **An Ordinance amending Section 113.09 of the Codified Ordinances of the County of**
8 **Summit entitled “Fees For Legal Representation Of Indigent Defendants By Appointed**
9 **Private Counsel,” to update the fee schedule with regards to certain Juvenile Court cases,**
10 **for the Executive’s Department of Law and Risk Management, and declaring an**
11 **emergency.**

12
13 WHEREAS, Chapter 113.09 of the Codified Ordinances of the County of Summit,
14 entitled “Fees for Legal Representation of Indigent Defendants by Appointed Private Counsel,”
15 sets forth the hourly rates and maximum fees and the rules and regulations for payment to private
16 appointed counsel of fees for representing indigent defendants; and

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18 WHEREAS, at the behest of the Ohio Public Defender Commission (“Commission”),
19 this Council previously approved Ordinance No. 2020-371, amending the schedule of hourly
20 rates and fee caps to be used in paying appointed counsel; and

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22 WHEREAS, the Executive has become aware that there are certain cases in Juvenile
23 Court which were not adequately addressed in the fee cap structure previously adopted, and
24 desires to adjust the schedule to reflect caps for those cases; and

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26 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
27 that it is necessary and in the best interest of the County of Summit to amend Section 113.09 of
28 Codified Ordinances for the reasons set forth above;

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30 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State
31 of Ohio, that:

32
33 SECTION 1

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35 Effective April 1, 2021 Section 113.09 of the Codified Ordinances of the County of
36 Summit, entitled “Fees for Legal Representation of Indigent Defendants by Appointed Private
37 Counsel,” is hereby amended as set forth on Exhibit A, which is attached hereto and incorporated
38 herein as if fully restated.

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40 SECTION 2

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42 This Ordinance is hereby declared an emergency in the interest of the health, safety, and
43 welfare of the residents of the County of Summit and for the further purpose of immediately
44 amending Section 113.09 in order to adopt a structured schedule of hourly rates and fee caps to
45 govern the payment of fees to private counsel appointed to represent indigent defendants.

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47 SECTION 3

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49 Provided this Ordinance received the affirmative vote of eight members, it shall take
50 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
51 effect and be in force at the earliest time provided by law.
52

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2 PAGE TWO

3
4 SECTION 4

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6 It is found and determined that all formal actions of this Council concerning and relating
7 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all
8 deliberations of this Council and of any of its committees that resulted in such formal action,
9 were in meetings open to the public, in compliance with all legal requirements, including Section
10 121.22 of the Ohio Revised Code.

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13 INTRODUCED March 1, 2021

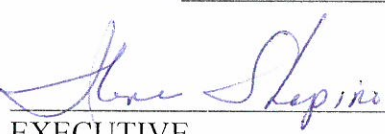
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15 ADOPTED March 15, 2021

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17 
18 _____
19 CLERK OF COUNCIL



PRESIDENT OF COUNCIL

20
21 APPROVED March 16, 2021

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23 
24 _____
25 EXECUTIVE

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27 ENACTED EFFECTIVE March 16, 2021

Voice Vote - YES 11-0: Darrow, DeVitis, Dickinson, Donofrio, Feeman, McKenney, Rodgers, Schmidt, Sims, Walters, Wilhite